REMARKS/ARGUMENTS

Applicant has carefully reviewed the Office Action of November 10, 2008 along with the references referred to in the Office Action, including newly cited references of Hornung et al '897, Endo et al '518, Kobrehel '371 and Gerhardt '626. Applicant is also replacing the rejected claims with new claims 31-34 to set forth the distinguishing structure of applicant's window assembly more clearly and to place the new claims in condition for allowance with claims 15-20, 22 and 26, the allowance of which is hereby noted.

For the Examiners convenience, following is new claim 31 with reference numbers in parentheses for comparing the claim with the window assembly structure disclosed in connection with FIGS. 1-3:

31. (new) A window assembly (10) comprising a rectangular outer sash frame (12) including a set of elongated extrusions of rigid plastics material forming outer sash frame members (14,16) having mitered and welded corner portions (18) for said sash frame, a set of parallel spaced rectangular inner and outer glass panels (36, 38) surrounded by said outer sash frame and having peripheral edge portions bonded together (44), said sash frame members of said outer sash frame including integral flange portions (22) projecting laterally inwardly and overlapping a peripheral edge portion of said outer glass panel, said flange portions of said outer sash frame members including lip seals (26) contacting said outer glass panel, a rectangular inner sub-sash frame (50) disposed within said outer sash frame and including elongated extrusions of rigid plastic material forming sub-sash frame members (52, 54) having mitered and welded corner portions for said sub-sash frame, said sub-sash frame members including longitudinally extending and laterally inwardly projecting integral flange portions (62) overlapping a peripheral edge portion of only said outer glass panel (38), said flange portions (22) of said frame members of said outer sash frame (12) overlapping said flange portions (62) of said sub-sash frame members of said inner sub-sash frame around the entire peripheral

edge portion of said outer glass panel (38), a bonding material (66) securing said flange portions (62) of said sub-sash frame members to said peripheral edge portion of said outer glass panel (38), a set of elongated extrusions of plastics material forming removable glazing members (72, 74), said glazing members including laterally inwardly projecting flange portions (76) overlapping a peripheral edge portion of said inner glass panel (36) and including lip seals (77) contacting said inner glass panel, said sub-sash frame members (52, 54) including longitudinally extending integral base portions (56) closely surrounding and overlapping peripheral edge surfaces of said glass panels, and said glazing members including retaining portions (81) engaging said frame members (14,16) of said outer sash frame and also engaging said base portions (56) of said sub-sash frame members (52, 54).

After reviewing all of the references, including the newly cited references, applicant is unable to find any suggestion or teaching or motivation in the references of a window assembly as set forth above in new claim 31 and which includes all of the window structure. On the other hand, MPEP Section 2143 states that "the prior art references when combined must teach or suggest all the claim limitations". More specifically, FIGS. 22-25 of Hornung et al '743, which the Examiner referred to and which are also included in previously cited Hornung et al '518, in no way suggest the structure of applicant's sub-sash frame 50 as set forth in new claim 31. The spacers 162 and 162A-B function to space the glass panels, and the legs 161, 163 and 165 function as setting blocks to position the glass panels within the sash frame. The spacers including the legs, are not extrusions and do not teach applicant's rigid sub-sash frame members 52 and 54 which have welded corners and extend continuously around the entire peripheral of the glass panels and also include flange portions 62 which are bonded to only the outer glass panel 38.

Applicant's rigid sub-sash frame 50 also functions to protect the bonded glass panels as a single unit during storage and transport and is lowered into the outer sash frame 12 as a single unit during assembly. The resilient seal segment

16 disclosed in Krobrehel '371 functions to seal the glass panel G in the aluminum frame 4 and in no way suggests the structure of applicant's sub-sash frame 50. In reference to Endo et al '518, the channel retainer 36 does not suggest applicant's sub-sash frame 50 wherein the rigid sub-sash frame members have mitered and welded corner portions and inwardly projecting flange portions 62 which overlap and are bonded to only the outer glass panel 38. The retainer 36 of Endo et al overlaps both glass panels 32 and 33, and could not have welded corner joints or the glass panels could not be assembled into the retainer.

Referring to new claim 33 which is directed to applicant's window assembly disclosed in connection with FIG. 4, applicant's sub-sash frame 50' also has sub-sash frame members 54' which have mitered and welded corner portions for the sub-sash frame, the sub-sash frame members 54' include longitudinally extending base portions 56' integrally connecting parallel spaced longitudinally extending wall portions 78 projecting laterally inwardly between the peripheral edge portions of the glass panels and bonded to the edge portions of both of the glass panels, the base portions of the sub-sash frame members overlapping outer peripheral edge surfaces of the glass panels, a set of elongated extrusions of plastics material forming removable glazing members 74 including laterally inwardly projecting flange portions 76 overlapping a peripheral edge portion of the inner glass panel 36, and the glazing members 74 include retaining portions 81 engaging the sash frame members 14 &16 of the outer sash frame 10' and also engage the base portions 56' of the sub-sash frame members 50'.

As mentioned above, Horning et al FIGS. 21-25 do not suggest or teach the structure of applicant's sub-sash frame 50 or 50', and the channel disclosed in Gerhardt '626 between the glass panels 32 and 44 serves to space and form a seal with the glass panels. However, there is no suggestion of applicant's sub-sash frame members 50' including the integrally connected base portions 56' overlapping the peripheral edge surfaces of the glass panels. Moreover, there is no suggestion or teaching of applicant's glazing members 74 including flange portions overlapping and sealed to a peripheral edge portion of the inner glass panel 36 and also

including retaining portions 81 engaging the sash members of the outer sash frame and also the base portions of the sub-sash frame members, as shown in FIG. 4.

The above comments also apply to new claims 32 and 34 which include the window structure of claims 31 and 33, respectively. In addition, the references fail to suggest or teach applicant's sub-sash frame members 50 defining longitudinally extending grooves 58 perpendicular to the glass panels, and the flange portions 22 of the outer sash frame member including longitudinally extending ribs 24 projecting into the grooves. This structure facilitates assembly of the sub-sash frame 50 and 50' into the corresponding outer sash frame 10 and 10', and also limits lateral movement of the sub-sash frame within the outer sash frame.

In view of the foregoing, applicant respectfully submits that new claims 31-34 set forth a window assembly structure which is clearly distinguished from the references. Accordingly, applicant submits that these claims are in condition for allowance along with claims 15-20, 22 and 26, and respectfully requests that the application be passed to issue.

Respectfully submitted,
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